

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DONNA MARIE KOZAK, RANDALL
DAVID DUE, COUNTY OF
WASHINGTON, KAREN A. MADSEN, in
her official capacity as;

Defendants.

8:13CV122

MEMORANDUM AND ORDER

Construed liberally, Defendant Due's Motion to Strike, (Filing No. 33), is actually a response to the plaintiff's motion for summary judgment. Defendant Due's motions for copies, (Filing Nos. 31 and 32) are interpreted as requesting a copy of the Motion to Strike (which raises the legal arguments listed in filings 31 and 32).

Accordingly,

IT IS ORDERED:

- 1) Filing number 33 shall be removed from any pending motion list and re-identified as defendant Due's response to the plaintiff's motion for summary judgment.
- 2) Defendant Due's motions for copies, (Filing Nos. 31 and 32) is granted only to the extent that the attached copy of his motion to strike will be sent to the defendant with this order.
- 3) A copy of this order shall be provided to Judge Urbom.

September 9, 2013.

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge

TO THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

U.S.A., ex rel.

OFFICIALS AND OFFICERS OF THE PUBLIC TRUST
(PLAINTIFFS WITH COMMERCIAL LIABILITY)
SHOULDED WITH THE BURDEN OF PROOF

VS.

DONNA MARIE KOZAK, RANDALL DAVID DUE,
COUNTY OF WASHINGTON, AND KAREN A. MADSEN,
IN HER OFFICIAL CAPACITY AS REGISTER OF DEEDS
OF WASHINGTON COUNTY, NEBRASKA
DEFENDANTS

8:13CV122

IS SUBORDINATE TO AND
OUTRANKED BY

8:12CR344

DATE = 17 AUGUST 2013

DEMAND "STRIKE"
DISMISS "WITH PREJUDICE"

RULE 12D

NO PRESUMPTION?

DILINED

I, RANDALL DUE, HAVE BEEN DENIED "DUE PROCESS OF LAW"
AND EQUAL PROTECTION OF THE LAW BY BEING FALSELY
DESPAIRED IN 4 DIFFERENT TRIALS SINCE 9 JULY 2013,
BY BEING DENIED PROPER COMMUNICATION BY PLAINTIFF
AND BY MAIL TO MY LEGAL DEFENSE RESOURCES

THESE ARE 5TH AND 14TH AMENDMENT
CIVIL RIGHTS FELONY OFFENSES BY
18 USC SECTION 241 AND 242

FILED
U.S. DISTRICT COURT
DISTRICT OF NEBRASKA
13 SEP - 6 PM 1:16
CLERK OF THE COURT

BECAUSE OF THIS DENIAL OF DUE PROCESS OF LAW
I WAS NOT MADE AWARE OF PLAINTIFF'S RESPONSE
TO DEFENDANT RANDALL DAVID DUE'S PFFIDAVIT OF
CHALLENGE, UNTIL NOW.

GEORGIA, MITCHELL COUNTY

Entered in:

Lien Docket

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THEREFORE, THIS RESPONSE IS AS TIMELY AS I AM ABLE TO PROVIDE.

I, RANDALL DUE, CERTIFY UNDER MY OWN COMMERCIAL LIABILITY THE FOLLOWING TO BE TRUE, CURRENT, AND COMPLETE TO THE BEST OF MY KNOWLEDGE AND BELIEF.

GEORGIA, MITCHELL COUNTY

ALLEGATIONS/CLAIMS

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Lien Docket

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THE 1ST DEFECT, RULE 12, IN THIS CASE IS THAT THE LIEN DEBTOR'S "DEFAULTED" ON THE 90-DAY GRACE PERIOD OF THE 1ST AMENDMENT ADMINISTRATIVE DATA/CONSENSUAL PUBLIC COMMERCIAL LIEN PROCESS, WHICH CITIZENS HAVE AS A RIGHT FOR REDRESS OF GRIEVANCES AGAINST PUBLIC OFFICIALS WHO HAVE VIOLATED THEIR REQUIRED OBLIGATION TO SUPPORT AND DEFEND THIS NATION, ITS CONSTITUTION, AND THE AMERICAN PEOPLE FROM ALL ENEMIES FOREIGN AND DOMESTIC.

ALSO KNOWN AS REBELLION OR INSURRECTION
18 USC SECTION 2383

THEREFORE, IT IS IMPOSSIBLE FOR THESE DATA/CONSENSUAL PUBLIC COMMERCIAL LIENS, AGAINST PUBLIC OFFICIAL'S REBELLION OR INSURRECTION, TO BE FALSE, FELICIOUS, OR FRAUDULENT, OR BOGUS.

THE 2ND DEFECT, RULE 12, IS THAT THE PLAINTIFF IS ATTEMPTING TO PROCURE THE COURT TO USE CIVIL CASE NO. 8:13CV122, WHICH IS SUBORDINATE TO CRIMINAL CASE NO. 8:12CR344 TO BYPASS CASE NO 8:12CR344 SUBJECT MATTER, WHICH SUBJECT MATTER THE PLAINTIFF HAS NEVER PROVEN TO BE FALSE, FICTITIOUS, OR FRAUDULENT, OR ROGUS. - 18 USC § 1622 CRIME

CRIMINAL TAKES PRECEDENT OVER CIVIL
RULE 12D: NO PRESUMPTIONS ALLOWED

DEFENDANTS, RANDALL DUE AND DONNA KOZAK HAVE NOT CONSENTED TO AN EQUITY HEARING AND/OR EQUITY TRIAL.

THEREFORE, PLAINTIFF'S REQUEST FOR A SUMMARY JUDGEMENT IS "MOT".

PLAINTIFF'S "ALLEGED" STATEMENT OF FACTS/INFORMATION IS NOT SWORN TO BE TRUE, CORRECT, AND COMPLETE.

IN CASE: IRS vs PHILLIP MARSH, PRESIDENT OF THE FILCT CONNECTION, IN THE INDICTMENT, THE IRS SET A PRECEDENT AND ESTABLISHED THAT ANY "INFORMATION" NOT SWORN TO BE TRUE, CORRECT, AND COMPLETE WAS A "SCAM".

GEORGIA, MITCHELL COUNTY

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THEREFORE, PLAINTIFF'S "ALLEGED" "STATEMENT OF FACTS/INFORMATION IS A SCAM/ABUSE OF PROCESS.

A VIOLATION OF ARTICLE IV SECTION 1 OF U.S.A. CONSTITUTION,
AND A FAILURE TO PROVIDE "FULL DISCLOSURE",
WHICH IS FRAUD, PREDICATED UPON VIOLATION OF DUE
PROCESS OF LAW. 5TH AND 14TH AMENDMENT VIOLATION.

PLAINTIFFS CLAIM, QUOTE: "Id. "PROPERLY REFERENCED MATERIAL FACTS IN MOVANT'S STATEMENT ARE CONSIDERED ADMITTED UNLESS CONTRADICTED BY THE OPPONING PARTY'S RESPONSE." Id. (EMPHASIS IN ORIGINAL)
SEE ALSO FED. R. CIV. P. 56(e)

PLAINTIFF IDDS FAILED TO PROVE ANY PART OF THE
CATH / CONSENSUAL PUBLIC COMMERCIAL LIENS TO BE
FALSE, FICTIOUS, OR FRAUDULENT IN CASE NO.

8:12CR344,

YET PLAINTIFF STATES THAT THE LIENS ARE QUOTE: "BOGUS LIENS."

BY PLAINTIFF'S OWN REFERENCING TO THE ABOVE
CITED REFERENCE, PLAINTIFF IS ADMITTING THE LIENS
IN QUESTION TO BE VALID, BECAUSE OF LIEN DEBTOR'S
"DEFAULT", BY FAILING TO CONTROVERT/CONTEST THE
STATE FACTS IN THE ADMINISTRATIVE LIEN PROCESS
WITHIN THE 90-DAY GRACE PERIOD.

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~~- REQUESTED -~~REMEDY/RELIEF

DEFENDANT, RANDALL DUE, DEMANDS THE COURT TO
"STRIKE" PLAINTIFF'S ALLEGATIONS/CLAIMS FROM
 THE OFFICIAL RECORDS AS INVALID AND TO
 DISMISS PLAINTIFF'S CASE "WITH PREJUDICE"
 BECAUSE OF THE AFORESAID CITED PLAINTIFF'S
"FRAUD OF PROCESS".

THE "CAUSE OF ACTION" FOR THIS DEMAND IS:

18 USC SECTIONS: - VIOLATIONS -

2- PRINCIPALS

3- ACCESSORY AFTER THE FACT

4- MISPRISION OF FELONY

241- CONSPIRACY OF RIGHTS

242- DEPRIVATION OF RIGHTS UNDER COLOR OF LAW

1513- RETALIATING AGAINST A WITNESS, VICTIM OR INFORMANT

1622- SUBORNATION OF PERJURY

2383- REBELLION OR INSURRECTION

AND RULE 82 AND OTHERS.

NOTICE TO PRINCIPAL IS NOTICE TO AGENT; NOTICE TO AGENT IS NOTICE TO PRINCIPAL

I, RANDALL DUE, EXERCISE THE RIGHT TO AMEND THIS DOCUMENT
 ANY OTHER DOCUMENT, IF NECESSARY, IN ORDER THAT
 THE TRUTH MAY BE MORE FULLY AND CERTAINLY
 ASCERTAINED AND JUSTLY DETERMINED.

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8 UD 17 AUGUST 2013
 Randall Due "WITHOUT RECOURSE"
 PUBLIC MINISTER

Randall Doe
172 Green Street East
Richmond, GA 31779-1350

